

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

United States Courts
Southern District of Texas
FILED

JUN 23 2010

David J. Bradley, Clerk of Court

UNITED STATES OF AMERICA

v.

ROBERT ANTOLO PABILLAR

§
§
§
§
§

CRIMINAL NUMBER

C-10-623

INDICTMENT

THE GRAND JURY CHARGES THAT:

INTRODUCTION

At all times material to this Indictment:

1. The term "minor" is defined, pursuant to Title 18, United States Code, Section 2256(1), as "any person under the age of eighteen years."

2. The term "sexually explicit conduct" is defined, pursuant to Title 18, United States Code, Section 2256(2), as any:

"actual or simulated -

- (A) sexual intercourse, including genital [to] genital, oral [to] genital, anal [to] genital, or oral [to] anal, whether between persons of the same or opposite sex; [or]
- (B) bestiality; [or]
- (C) masturbation; [or]
- (D) sadistic or masochistic abuse; or
- (E) [the] lascivious exhibition of the genitals or pubic area of any person."

3. The term "computer" is defined, pursuant to Title 18, United States Code, Sections 2256(6) and 1030(e)(1), as any:

"electronic, magnetic, optical, electrochemical, or other high speed data processing device performing logical, arithmetic, or storage functions, and includes any data storage facility or communications facility directly related to or operating in conjunction with such device, but such term does not include an automated typewriter or typesetter, a portable hand held calculator or other similar device."

4. The term "child pornography", for purposes of this Indictment, is defined, pursuant to Title 18, United States Code, Section 2256(8)(A), and limited to:

"any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where -

- (A) the production of such visual depiction involves the use of a minor engaged in sexually explicit conduct."

5. The term "visual depiction" is defined, pursuant to Title 18, United States Code, Section 2256(5), as including, but is not limited to, any:

"undeveloped film and videotape, and data stored on computer disk or by electronic means which is capable of conversion into a visual image."

COUNT ONE
IMPORTATION OF CHILD PORNOGRAPHY
INTO THE UNITED STATES

On or about May 4, 2010, in the Corpus Christi Division of the Southern District of Texas and elsewhere within the jurisdiction of the Court, the defendant,

ROBERT ANTOLO PABILLAR,

outside the United States, knowingly transported a visual depiction of a minor engaging in sexually explicit conduct, which the production of such visual depiction involved the use of a minor engaging in sexually explicit conduct, to wit: a computer graphic video file entitled "The Virgin!.3gp", intending that the visual depiction would be imported into the United States and into waters within

a distance of 12 miles of the coast of the United States.

In violation of Title 18, United States Code, Section 2260(b).

COUNT TWO
POSSESSION OF CHILD PORNOGRAPHY

On or about May 4, 2010, in the Corpus Christi Division of the Southern District of Texas and elsewhere within the jurisdiction of the Court, the defendant,

ROBERT ANTOLO PABILLAR

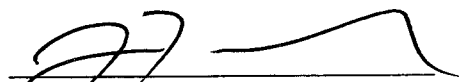
did knowingly possess and knowingly access with intent to view child pornography, which had been mailed, shipped, and transported in interstate and foreign commerce by any means, including by computer, and which was produced using materials which had been mailed, shipped, and transported in interstate and foreign commerce, by any means, including by computer. In this violation the defendant possessed a Scandisk M-2, 512MB card, which contained a graphic video file entitled "The Virgin!.3gp", which depicted a minor engaged in sexually explicit conduct.

In violation of Title 18, United States Code, Sections 2252A(a)(5)(B), 2252A(b)(2), and 2256(8)(A).

A TRUE BILL:
ORIGINAL SIGNATURE ON FILE
FOREPERSON OF THE GRAND JURY

JOSE ANGEL MORENO
UNITED STATES ATTORNEY

By:



LANCE DUKE
Assistant United States Attorney